

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
September 1, 2006

**D048589      In re Emileigh R., a Juvenile**

The Respondent's motion to dismiss the appeal has been considered by Justices McDonald, McIntyre and Irion. The motion is GRANTED. The appeal is DISMISSED.

**D047623      Unarco Material Handling v. Samuel Strapping Systems**

**D048301      Unarco Material Handling v. Samuel Strapping Systems**

The parties' stipulation for dismissal of consolidated appeals filed on August 29, 2006, is accepted. Samuel Strapping Systems, Inc.'s contemporaneous request to withdraw its motion to dismiss the appeal and request for sanctions filed on January 17, 2006, is granted. The Clerk of the Court of Appeal is directed to return the original and all copies of the motion to Samuel Strapping Systems, Inc., and to return the opposition filed on February 1, 2006, to Unarco Material Handling, Inc.

The appeal is DISMISSED and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 20(c)(2)). Each party to bear own costs on appeal.

**D048444      In re R.B., a Juvenile**

The judgment is affirmed. Haller, J.; We Concur: McConnell, P.J., McDonald, J.

**D049005      Hogar Dulce Hogar v. Community Development Commission of the City of Escondido**

The notice of appeal filed on July 14, 2006, and respondent's unopposed motion to dismiss the appeal filed on August 11, 2006, have been read and considered by Presiding Justice McConnell and Associate Justices McIntyre and Irion. The motion to dismiss is GRANTED. The appeal is dismissed.

**D049298      San Diego Gas & Electric Co. v. Superior Court of San Diego County/Harris et al.**

The trial scheduled for September 8, 2006 is stayed pending further order of this court. Real parties are directed to file a response to the petition on or before September 13, 2006.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
September 5, 2006

**D048621      Jessica S. v. Superior Court of San Diego County/San Diego County Health  
and Human Services Agency**

The petition is denied. McIntyre, Acting P.J.; We Concur: Aaron, J., Irion, J.

**D049185      Parker v. Hunter**

Because appellant did not timely pay the filing fee, the appeal is dismissed. (Cal. Rules of Court, rule 1(c)(5)).

**D046435      In re Tobacco II Cases**

The orders are affirmed. Defendants are awarded their costs on appeal. CERTIFIED FOR PUBLICATION. McConnell, P.J.; We Concur: Haller, J., McDonald, J.

**D049094      Sandoval v. Osburn**

The appeal filed July 21, 2006, is dismissed because appellant did not timely deposit costs for preparing the record on appeal (Cal. Rules of Court, rule 4(b), 5(c) and 8).

**D049193      Monelt v. Ewing**

Because appellant did not timely pay the filing fee, the appeal is dismissed. (Cal rules of Court, rule 1(c)(5)).

**D048715      In re Davis T., a Juvenile**

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rules 33(c)(5) and 17. The appeal is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
September 5, 2006 (Continued)

**D049154      Bryant v. Superior Court of Imperial County/People**

The Imperial County Superior Court is ordered to show cause why the relief requested should not be granted. All trial court proceedings are stayed pending further order of this court.

The Clerk's Office is directed to provide a copy of the petition and the preliminary opposition to Appellate Defenders. Appellate Defenders is directed to submit, within 10 court days, a recommendation for counsel to represent petitioner in this matter.

Petitioner's counsel may file a supplemental petition within 30 days after appointment. The supplemental petition should focus on the following questions:

1. Whether the trial court properly denied petitioner's request for: (a) the name of the person who purportedly authored the rules violation report (CDC 115) for Office Silva, and (b) for any other incident-related reports that person may have authored; and 2. Whether the trial court should have permitted petitioner to be present at the two hearings in which the trial court denied the above discovery requests.

Real party in interest may file a return within 30 days after the supplemental petition is filed.

Petitioner's counsel may file a reply within 15 days after the response is filed.

Absent a written request within five days after the reply is filed, oral argument will be deemed waived. If a party requests oral argument, the request should be in letter form with proof of service on the other parties. The letter should also identify the focus of the party's argument and the amount of time requested, not to exceed 15 minutes.

**D048840      464 Prospect-La Jolla Homeowners Association v. Superior Court of California/DTC -RECP OPCO, LLC et al.**

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
September 6, 2006

**D046891      People v. Tejada**  
Petition for rehearing is denied.

**D048822      In re Riley on Habeas Corpus**  
The petition is denied.

**D049054      Christopher M. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**  
The attorney for Christina B. has notified the court that a petition for writ of mandate under California Rules of Court, rule 38.1 and 1436.5 will not be filed because there are no viable issues for writ review. The case is dismissed.

**D049030      Keisha B. v Superior Court of San Diego County/San Diego County Health and Human Services Agency**  
The attorney for Keisha B. has notified the court that a petition for writ of mandate under California Rules of Court, rule 38.1 and 1436.5 will not be filed because there are no viable issues for writ review. The case is dismissed.

**D049059      Jennifer B. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**  
No timely petitions for writ relief have been filed. The notices of intent are deemed to be abandoned. The case is dismissed.

**D046284      CWE Enterprises et al. v. McGraw-Hill Broadcasting Company, Inc.**  
**D046672      CWE Enterprises et al. v. McGraw-Hill Broadcasting Company, Inc.**  
Appellants' petition for rehearing is denied.

**D047613      People v. Scott**  
The judgment is affirmed. McDonald, J.; We Concur: Nares, Acting P.J., Irion, J.

**D048388      In re Daniel R. Jr. et al., Juveniles**  
K.R.'s appeal is dismissed. The judgment is affirmed. O'Rourke, J.; We Concur: Huffman, Acting P.J., McDonald, J.

**D049106      Karen v. Superior Court of San Diego County/Huberman et al.**  
The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
September 7, 2006

**D048872      In re Hutto on Habeas Corpus**

The petition is denied.

**D048390      In re Nicholas P., a Juvenile**

The judgment is affirmed. O'Rourke, J., We Concur: McConnell, P.J., Huffman, J.

**D049301      Kenneth S. v. Superior Court of San Diego County/San Diego County Health  
and Human Services Agency**

The notice of intent received on August 28, 2006 and the petition for extraordinary writ received August 28, 2006 have been reviewed by Associate Justices McDonald, Nares and Irion. The notice of intent and petition are untimely. The case is dismissed.

**D046393      People v. Vitale**

The petition for rehearing is denied.

**D048823      In re Sharma on Habeas Corpus**

The petition is denied.

**D049236      Stewart v. Superior Court of San Diego County/Poway Unified School  
District**

The petition is denied.

**D048028      In re Esteban G., a Juvenile**

The juvenile court orders are affirmed. O'Rourke, J.; We Concur: McConnell, P.J., Irion, J.

**D048838      In re Lindley on Habeas Corpus**

The petition is denied.

**D048874      In re Martinez on Habeas Corpus**

The petition is denied.

**D047496      People v. Ravaux**

The opinion filed August 16, 2006, is ordered certified for publication.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
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DIVISION ONE  
September 7, 2006 (Continued)

**D048920      Elisha R. et al. v. Superior Court of San Diego/San Diego County Health and Human Services Agency**

No timely petition for writ relief has been filed for Elisha R. Elisha R.'s notice of intent is deemed to be abandoned. The case as to Elisha R. is dismissed. Response to Rose M.'s petition is due 15 days from the date of this order.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
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DIVISION ONE  
September 8, 2006

**D048677      People v. Pruett**

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately.

**D049048      Nina B. et al. v. Superior Court of San Diego County/San Diego County  
Health and Human Services Agency**

No timely petition for writ relief has been filed for Samuel G. The notice of intent is deemed to be abandoned. The case is dismissed.

**D049014      Foy S. v. Superior Court of San Diego County/San Diego County Health and  
Human Services Agency**

No timely petition for writ relief has been filed. The notice of intent is deemed to be abandoned. The case is dismissed.

**D048342      In re Michael S. et al., Juveniles**

The juvenile court's order terminating the legal guardianship is affirmed. The motion to dismiss the appeal is denied. Huffman, Acting, P.J.; We Concur: Haller, J., Irion, J.